

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA, *ex rel.*,
LARRY GEORGE EDWARDS, Jr.,

Plaintiff,

v.

HOMESTAR NORTH AMERICA, LLC,

Defendant.

Civil Action No. 4:21-cv-148

FILED UNDER SEAL
(Pursuant to 31 U.S.C. § 3730(b))

JOINT STIPULATION OF DISMISSAL

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3729, *et seq.*, and in accordance with the terms and conditions of the October 5, 2023, Settlement Agreement entered into by the United States of America, Relator Larry George Edwards, Jr. (“Relator”), and Defendant Homestar North America, LLC (“Defendant”) (collectively referred to as “the Parties”), and the terms and conditions of the October 5, 2023, Settlement Agreement entered into by the Parties submit this Joint Stipulation of Dismissal of the Complaint.

I. Claims on behalf of the United States

1. On October 5, 2023, the United States of America (“United States”) filed its Notice of Partial Intervention for Purposes of Settlement in this action.

2. Pursuant to a Settlement Agreement executed by and amongst the United States, Relator, and Defendant on October 5, 2023 (“Settlement Agreement”), the United States and Relator, by and through their respective attorneys, hereby jointly stipulate and agree, pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the *qui tam* provisions of the False Claims Act, 31 U.S.C. § 3729, *et seq.*, to entry of an Order: (1) as to the United States, dismissing with

prejudice all claims asserted in this action on behalf of the United States against Defendant concerning the Covered Conduct as defined in Recital Paragraph D of the Settlement Agreement, to the extent that the Complaint in this action contains such claims; (2) as to the United States, dismissing without prejudice any other claims brought on its behalf by Relator which were asserted against Defendant in this action; and (3) as to the Relator, dismissing the Complaint with prejudice to Relator. The United States consents to the dismissal of the Complaint under these terms.

II. Relator's Claims

3. Relator stipulates that the Settlement Amount set forth in the Settlement Agreement referenced herein and that the terms and conditions described therein are fair, adequate, and reasonable under all the circumstances, that Relator will not challenge the Settlement Agreement pursuant to 31 U.S.C. § 3730(c)(2)(B), and that Relator expressly waives the opportunity for a hearing on any objection to the settlement under 31 U.S.C. § 3730(c)(2)(B) or applicable state law.

III. Request for Partial Lifting of the Seal

4. In light of the execution of the Settlement, the United States requests that the Court unseal the Relator's Complaint (Docket No. 1), the United States' Notice of Intervention for Settlement Purposes (Docket No. 18) and the Joint Stipulation of Dismissal (Docket No. 19), and the attached proposed Order, and all subsequent filings following entry of the attached proposed Order. The United States requests that all other papers on file in this action remain under seal and not be made public (including, but not limited to, any applications filed by the United States for extensions of the sixty-day investigative period, any applications for partial lifting of the seal, and any orders previously entered in this matter) because in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be

extended.

5. The parties respectfully request that the Court enter an Order in the form of the attached, proposed Order.

Respectfully submitted,

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